REMARKS

Claims 1, 22, and 23 have been amended to clarify the subject matter regarded as the invention. Claims 1-11 and 13-23 are pending.

Claims 1-11 and 13-23 stand rejected under 35 U.S.C. §103(a). The rejection is respectfully traversed. With respect to claims 1, 22, and 23, each has been amended to make clear that information from the recited "first packet" is copied "based at least in part on a determination that the first packet comprises an open packet" and that the "second packet" is passed through without the recited information being copied from the second packet "based at least in part on a determination that the second packet does not comprise an open packet." The term "open packet" is defined, without limitation, in the specification at page 4, lines 12-20. Detecting a virus at a network switch, as Campbell describes, and detecting an unauthorized port scan, as taught by Boulanger, are not the same as selectively copying and saving information from network packets comprising a network flow based at least in part on a determination whether a packet is an "open packet", as recited in claims 1, 22, and 23. As such, claims 1, 22, and 23 are believed to be allowable.

Claims 2-11 and 13-21 depend from claim 1 and are believed to be allowable for the same reasons described above.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments. Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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William J. James
Registration No. 40,661
V 408-973-2592
F 408-973-2595

VAN PELT, YI & JAMES LLP
10050 N. Foothill Blvd., Suite 200
Cupertino, CA 95014

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